



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/082,650	02/25/2002	Richard E. Rowe	IGTIP360/P-480	3654

22434 7590 04/17/2007  
BEYER WEAVER LLP  
P.O. BOX 70250  
OAKLAND, CA 94612-0250

EXAMINER
----------

SAVIC, BORIS

ART UNIT	PAPER NUMBER
----------	--------------

3714

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/17/2007	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

<b>Office Action Summary</b>	Application No. 10/082,650	Applicant(s) ROWE, RICHARD E.	
	Examiner Boris Savic	Art Unit 3714	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 November 2005.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-32 and 37-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-32 and 37-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. _____                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>See Continuation Sheet</u> .                                  | 6) <input type="checkbox"/> Other: _____                          |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/28/2002, 8/25/2004, and 6/5/2006.

### **DETAILED ACTION**

This action is in response to applicant's amendment received on 11/18/2005.

#### ***Response to Amendment***

It has been noted that claims 1, 9, 16, 22, 27, and 29 have been amended.

Claims 2-8, 10-15, 17-21, 23-26, 28, 30-32, 37-41 are original and are pending. Claims 33-36 and 42 are cancelled.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 16-18, 22-24, 29-32, 37, and 40-41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael S. Wiltshire et al. (US 6,409,602 B1).

Wiltshire discloses a slim terminal gaming system wherein a player(s) at a remote client/terminal computer(s) is allowed to access one or more computer game programs via one or more server/host computers through a network, such as, the Internet. Wiltshire additionally discloses:

Regarding claims 16, 22, 29, 31, 32, 37, 40, and 41:

- A first gaming server (server/host computer 110) that facilitates play of a first game by a player utilizing one of said remote player devices (remote client/terminal computers 120), said first gaming server comprising a controller that comprises a processor and a memory in which image data

Art Unit: 3714

- corresponding to a video image representing said first game is stored, said controller being programmed to facilitate play of said first game and said first game being one of the following games: poker, blackjack, slots, keno or bingo (Claim 1, Fig. 1D, Col. 4, lines 43-65, Col. 5, lines 45-65, Col. 9, lines 13-37, Col. 10, lines 6-14, Col. 10, lines 54-61, Col. 11, lines 39-43, Col. 1, lines 26-44);
- A second gaming server (server/host computer 110) that facilitates play of a second game by a player utilizing one of said remote player devices (remote client/terminal computers 120), said second game being different than said first game, said second gaming server comprising a controller that comprises a processor and a memory in which image data corresponding to a video image representing said second game is stored, said controller of said second gaming server being programmed to facilitate play of said second game and said second game being one of the following games: poker, blackjack, slots, keno or bingo (Claim 1, Figure 1D, Column 4, lines 43-65, Column 5, lines 45-65, Column 9, lines 13-37, Column 10, lines 6-14, Column 10, lines 54-61, Column 11, lines 39-43, and Column 1, lines 26-44); and
  - A website server (network interface 110/115) that is capable of being operatively coupled via the Internet (communication pathways 130) to said remote player devices, said website server capable of being operatively coupled to said first and second gaming servers, said website server

Art Unit: 3714

comprising (Figures 1 A, 1D, Column 3, line 61-Column 4, line 3, Column 5, lines 30-44, and Claim 1);

- A controller that comprises a processor and a memory (Figures 1A, 1D, Column 3, line 61-Column 4, line 3, Column 5, lines 30-44, and Claim 1); and
- A network communications circuit coupled to said controller of said website server, said network communications circuit allowing data to be communicated between said controller of said website server and said remote player devices (Figures 1A, 1 D, Column 3, line 61-Column 4, line 3, Column 5, lines 30-44, and Claim 1),
- said controller of said website server being programmed to cause player data received from said one remote player device to be stored in memory (Column 4, lines 29-33),
- said controller of said website server being programmed to cause data representing a game selection display (virtual casino floor showing video poker, keno, slots, black jack, etc. game selections) to be transmitted to said one remote player device, said game selection display comprising a first image representing said first game and a second image representing said second game (Figure 4B),
- said controller of said website server being programmed to receive data representing a game selection from said one remote player device (Column 8, lines 51-55),

Art Unit: 3714

- said controller of said website server being programmed to facilitate data communication between said one remote player device and said first gaming server if said player selected said first game for play (Claim 1), and
- said controller of said website server being programmed to facilitate data communication between said one remote player device and said second gaming server if said player selected said second game for play (Claim 1).

Regarding claim 30:

- wherein said memory of said first gaming server stores image data representing an image of at least five playing cards if said first game comprises poker (Figure 7B),
- wherein said memory of said first gaming server stores image data representing an image of a plurality of simulated slot machine reels if said first game comprises slots (Figure 5A),
- wherein said memory of said first gaming server stores image data representing an image of a plurality of playing cards if said first game comprises blackjack (Figure 6A),
- wherein said memory of said first gaming server stores image data representing an image of a plurality of keno numbers if said first game comprises keno (Figure 9B), and
- wherein said memory of said first gaming server stores image data representing an image of a bingo grid if said first game comprises bingo (Column 1, lines 26-44).

Regarding claims 17 and 23:

- wherein said controller of said first gaming server comprises a plurality of processors capable of parallel operation (Claim 1).

Regarding claims 18 and 24:

- wherein said first game and said second game are the same type of game (Figure 6A and 7B). Blackjack is depicted in figure 6A and Poker is depicted in figure 713. Both are the same type of game, that game being a card game.

Although Wiltshire does not disclose the use of a website server that is operatively coupled to a first gaming server that facilitates play of a first game and a second gaming server that facilitates the play of a second game. It would have been obvious to design Wiltshire's computer gaming system to comprise at least two server/host computers each storing and executing a different game program. One reason one would be motivated to do so is to efficiently allocate server/host memory resources. Storing and executing multiple games on each server/host computer would make game operation execution cumbersome because multiple different games would be required to be executed in memory simultaneously, whereas, storing and executing one type of game on each server/host computer leads to a more streamlined and organized design which could be easily implemented in Wiltshire's gaming system.

2. Claims 1-4, 8-12, and 27-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael S. Wiltshire et al. (US 6,409,602 B1) in view of Son Thanh Vuong et al. (US 5,762,552 A).



Wiltshire teaches that as discussed above regarding claims 16-18, 22-24, 29-32, 37, and 40-41. Wiltshire additionally discloses:

Regarding claims 2 and 28:

- wherein said memory of said first gaming server stores image data representing an image of at least five playing cards if said first game comprises poker (Figure 7B),
- wherein said memory of said first gaming server stores image data representing an image of a plurality of simulated slot machine reels if said first game comprises slots (Figure 5A),
- wherein said memory of said first gaming server stores image data representing an image of a plurality of playing cards if said first game comprises blackjack (Figure 6A),
- wherein said memory of said first gaming server stores image data representing an image of a plurality of keno numbers if said first game comprises keno (Figure 9B), and
- wherein said memory of said first gaming server stores image data representing an image of a bingo grid if said first game comprises bingo (Column 1, lines 26-44).

Regarding claims 3 and 11:

- wherein said controller of said first gaming server comprises a plurality of processors capable of parallel operation (Claim 1).

Regarding claims 4 and 12:

Art Unit: 3714

- wherein said first game and said second game are the same type of game (Figure 6A and 7B). Blackjack is depicted in figure 6A and Poker is depicted in figure 713. Both are the same type of game, that game being a card game.

Regarding claim 8:

- wherein said first game may be played exclusively via said first gaming server, wherein said controller of said first gaming server is not programmed to facilitate play of said second game, and wherein said memory of said first gaming server does not store image data corresponding to a video image representing said second game (Claim 1); and
- wherein said second game may be played exclusively via said second gaming server, wherein said controller of said second gaming server is not programmed to facilitate play of said first game, and wherein said memory of said second gaming server does not store image data corresponding to a video image representing said first game (Claim 1).

Regarding claim 10:

- wherein said first image comprises a first icon (virtual casino floor showing video poker button (Icon) 440, keno button (Icon) 460, slots button (Icon) 450, black jack button (Icon) 430, etc. game selections) and wherein said second image comprises a second icon (virtual casino floor showing video poker button (Icon) 440, keno button (Icon) 460, slots button (Icon) 450, black jack button (Icon) 430, etc. game selections) and wherein said controller of said website server is programmed to cause data representing said first and

Art Unit: 3714

second icons to be transmitted to said one remote player device (Claim 1 and Figure 4B).

Although Wiltshire strongly suggests logging on a game server via a network, Wiltshire lacks explicitly disclosing this feature. Wiltshire lack explicitly disclosing:

Regarding claims 1, 9, and 27:

- said controller of said website server being programmed to cause logon display data to be transmitted to one of said remote player devices via said network communications circuit when said one remote player device is operatively coupled to said website server.

Vuong teaches of a networked based gaming system that enables a number of players to place wagers on real-time games of chance conducted in a casino via a distributed network system. Therefore, Vuong and Wiltshire are analogous art. Vuong additionally teaches:

Regarding claims 1, 9, and 27:

- said controller of said website server being programmed to cause logon display data to be transmitted to one of said remote player devices via said network communications circuit when said one remote player device is operatively coupled to said website server (Figure 4, Column 8, line 52-Column 9, line 14).

It would have been obvious at the time of Applicant's invention to modify Vuong's logon function in Wiltshire. One would be motivated to do so in order for Wiltshire's system to access a website as shown in figure 3 and to facilitate the accounting

Art Unit: 3714

server/host disclosed in Wiltshire (Column 4, line 66-Column 5, line 13) in order to readily track a particular player's gaming activity and financial winnings/losses.

3. Claims 5, 13, 19, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael S. Wiltshire et al. (US 6,409,602 B1) in view of Son Thanh Vuong et al. (US 5,762,552 A) and further in view of Ernest W. Moody (US 6,098,985 A).

Wiltshire in view of Vuong teaches to one having ordinary skill in the art that as discussed above regarding claims 1-4, 8-12, and 27-28. Although Wiltshire discloses a gaming system wherein a player can play a poker game, Wiltshire seems to lack explicitly disclosing:

Regarding claims 5, 13, 19, and 25:

- A game comprises a multi-hand poker game.

Moody teaches of a computer game system wherein a player can play multiple hands of poker. Since Wiltshire, Vuong, and Moody each teach of game systems wherein a player can play a game of poker on a computer game system, they are analogous art. Furthermore, Moody teaches:

Regarding claims 5, 13, 19, and 25:

- A game comprises a multi-hand poker game (Column 1, lines 37-52).

It would have been obvious to one having ordinary skill in the art, at the time of the applicant's invention, to incorporate Moody's multi-hand poker game in Wiltshire in view of Vuong's gaming system. One would be motivated to do so because the game allows a player to discard and replace unwanted cards with replacement cards in a first

Art Unit: 3714

poker hand, distribute the cards kept in the first hand to the remaining hands, and play poker for each of the poker hands, wherein the player is paid for any winning poker hands based upon a pay table and the amount of the player's wager making the game very exciting.

4. Claims 6, 7, 14, 15, 20, 21, 26, 38, and 39 are rejected under 35 U.S.C. 103(a) as being unpatentable over Michael S. Wiltshire et al. (US 6,409,602 B1) in view of Son Thanh Vuong et al. (US 5,762,552 A) and further in view of Niels C. Holch et al. (US 6,089,982 A).

Wiltshire in view of Vuong teaches to one having ordinary skill in the art that as discussed above regarding Claims 1-4, 8-12, and 27-28. Although Wiltshire discloses each client/terminal computer (120) includes wagering or bet acceptor device (150), such as a coin collector, a bill collector, a smart-card reader, a credit card reader, etc, Wiltshire seems to lack explicitly disclosing:

Regarding claim 6:

- wherein said controller of one of said gaming servers is programmed to encrypt data transmitted to said website server and wherein said controller of said website server is programmed to decrypt data received by said website server from one of said gaming servers.

Regarding claims 7, 15, 21, and 26:

- wherein one of said controllers of one of said gaming servers is programmed to determine whether a data communication received by said one gaming server was transmitted by an authorized sender.

Art Unit: 3714

Regarding claims 14 and 20:

- wherein said controller is programmed to decrypt data received by said website server from one of said gaming servers.

Regarding claim 38:

- encrypting said first game display data prior to transmitting said first game display data said gaming apparatus to said website computing apparatus; and
- encrypting said second game display data prior to transmitting said second game display data from said gaming apparatus to said website computing apparatus.

Regarding claim 39:

- decrypting said wager data after receiving said wager data from said website computing apparatus.

Holch, like Wiltshire and Vuong, teaches of an online gaming system wherein a player is allowed to select from multiple wagering games to play at a player terminal. Therefore, Holch, Wiltshire, and Vuong are analogous art. Furthermore, Holch teaches of encrypting player pin and account data while communicating over a network. Holch teaches:

Regarding claim 6:

- wherein said controller of one of said gaming servers is programmed to encrypt data transmitted to said website server and wherein said controller of said website server is programmed to decrypt data received by said website

server from one of said gaming servers (Figure 5a and Column 6, lines 52-65).

Regarding claims 7, 15, 21, and 26:

- wherein one of said controllers of one of said gaming servers is programmed to determine whether a data communication received by said one gaming server was transmitted by an authorized sender (Figure 5a and Column 6, lines 52-65).

Regarding claims 14 and 20:

- wherein said controller is programmed to decrypt data received by said website server from one of said gaming servers (Figure 5a and Column 6, lines 52-65).

Regarding claim 38:

- encrypting said first game display data prior to transmitting said first game display data said gaming apparatus to said website computing apparatus (Figure 5a and Column 6, lines 52-65); and
- encrypting said second game display data prior to transmitting said second game display data from said gaming apparatus to said website computing apparatus (Figure 5a and Column 6, lines 52-65).

Regarding claim 39:

- decrypting said wager data after receiving said wager data from said website computing apparatus (Figure 5a and Column 6, lines 52-65).

Additionally, securing sensitive data over a network such as the Internet via encryption techniques are notoriously well known. For instance, encryption techniques can be used for accessing personal finance accounts at financial institutions on the Internet or purchasing merchandise from a retailers website. Therefore, it would have been obvious at the time of Applicant's invention to utilize encryption techniques, such as those discussed in Holch to transmit data securely in Wiltshire in view of Vuong. One would be motivated to do so because providing a secure data interface enables a remote game player to have a piece of mind when making financial transactions, such as wagers via a credit card, over the Internet.

### ***Response to Arguments***

Applicant's remarks have been fully considered but they are not deemed persuasive.

Regarding claims 1-8, 9-15, 16-21, 22-26, 27-28, and 29-32, Applicant states that Wiltshire and Vuong do not teach determining whether said data representing said game selection corresponds to said first game or said second game; determining whether to select said first gaming server or said second gaming server based on said game selection received from said one remote player device. Examiner disagrees. Examiner states that Wiltshire teaches each client/terminal computer comprises a client/terminal program that allows input and output streams of the gaming program executed on the server/host computer to be separated and redirected to the client/terminal computers (See Abstract). Also, when the patron presses a virtual button, an input command is detected by client/terminal program 122 and transmitted to



Art Unit: 3714

server/host computer 110 over communication pathways 130. Server/host interface program 114, in turn, receives the input command and passes the input command along to game program 112. Game program 112, then responds to input command 112 by updating the state of the game and possibly modifying the image displayed on screen 140. Games may be provided either by multiple game programs 112 or by a single game program 112 (Column 8, lines 56-65). It is well known in the art that the controller of a website server will have some kind of a program that will recognize if the data corresponds to first game or second game or any other game. Otherwise, there would not be any telling where the data is coming from and what it corresponds to. Also, it is well known in the art that the controller is programmed to figure out whether to pick first gaming server or second gaming server or any other server based on the game selection received from remote player device. Of course, if remote player device is associated with say first gaming server, the controller will pick or select first gaming server.

Regarding claims 37-41, Applicant states that the rejection of claim 37 in the July 15 Office Action fails to address whether any of the limitations may be found in Wiltshire. Examiner disagrees. Examiner states that the rejection of claim 37 is located in pages 2-5 of this Office Action.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

Art Unit: 3714

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Boris Savic whose telephone number is (571) 272-2849. The examiner can normally be reached on Monday - Friday, 9:00AM - 5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Xuan Thai can be reached on (571) 272-7147. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Art Unit: 3714

BS

BS

Ronald Leneer

Primary Examiner

4/14/07